MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 3, 2022/2023

BLL2124 – LABOUR LAWS

(All sections/Groups)

2 OCTOBER 2023
2.30 pm – 4.30 pm
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This question paper consists of 3 pages with 2 sections.
2. Attempt **ALL** questions in Section A and Section B. The distribution of the marks for each question is given.
3. Please write all your answers in the Answer Booklet provided.

SECTION A: Case Study (40 Marks)

MALAYSIA BACK ON TIER-2 WATCH LIST OF US HUMAN TRAFFICKING REPORT

KUALA LUMPUR: Malaysia is back on the Tier 2 Watch List in the latest Human Trafficking Report 2023 issued by the US State Department. The move from Tier 3 to the Tier 2 Watch List in the US State Department's annual Trafficking in Persons (TIP) report indicate that the country has made efforts to combat human trafficking despite not meeting the US minimum standards.

Malaysia fell to Tier 3 in 2021 and 2022, joining several other countries on the watch list including Mozambique, Egypt, Iraq, Eswatini, Brunei and Vietnam. According to the newly released report, Malaysia made significant milestones including conducting more investigations, prosecutions and convictions of traffickers and officials involved. The report also mentioned that the government also identified more victims; initiated efforts and provided funding to raise awareness of human trafficking in palm oil plantations; and increased training.

"It includes using approaches to understanding trauma, victim identification, and amendments to anti-trafficking laws - for officials, law enforcement and service providers for victims. According to the report, the government facilitates greater freedom of movement for victims receiving services at government facilities, permits more victims to work, and increases funding for victim shelters. However, the report added that government agencies did not meet minimum standards when they failed to prosecute labour traffickers in the palm oil and disposable glove manufacturing industry.

The report also criticised Malaysia for proactively identifying victims, including victims of forced labour, during enforcement raids, which led to the arrest and deportation of unidentified trafficking victims. "Delays in prosecution, insufficient inter-agency coordination, and inadequate services for victims discourage foreign national victims from remaining in Malaysia to participate in criminal proceedings and continue to hinder the success of anti-trafficking law enforcement efforts. "Countries listed as Tier 3 may face aid restrictions, economic sanctions or not receive trade benefits from the US.

Adapted from: https://www.nst.com.my/news/nation/2023/06/921235/malaysia-back-tier-2-watch-list-us-human-trafficking-report

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QUESTIONS

(a) Based on your understanding from the case above, discuss **FIVE (5)** factors that contribute towards human trafficking in Malaysia.

(10 marks)

(b) Explain **FIVE (5)** consequences that will affect Malaysia if the government did not take any actions human trafficking?

(20 marks)

(c) Discuss **TWO (2)** practical options that you can implement in controlling human trafficking in Malaysia.

(10 marks)

(Total: 40 marks)

SECTION B: Structured Questions (60 Marks)

ANSWER ALL QUESTIONS

QUESTION 1

Women and men frequently engage in various economic fields in significantly varying ratios, primarily due to the phenomenon of gender-based concentration within specific occupations. This could be attributed to the historical linking of certain job types with particular genders. Numerous additional factors, encompassing economic, social, and cultural dimensions, also exert influence on gender distribution across diverse occupations, even within specific geographic areas or nations.

Provide an elaboration of **FIVE (5)** distinctive safeguards through which the Employment Act 1955 oversees the employment of women in Malaysia.

(20 marks)

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QUESTION 2

Child labour refers to tasks that pose mental, physical, social, or moral risks to children, negatively impacting their well-being. This practice hinders their education by preventing them from attending school, forcing them to quit prematurely, or compelling them to juggle school and excessively arduous labour. The determination of whether an occupation qualifies as child labour hinges on factors such as the child's age, the nature and duration of the work involved, and how the work affects the child's health, growth, and access to learning.

Examine **FIVE (5)** reasons explaining how the Children and Young Persons (Employment) Act 1966 oversees the employment of minors and the conditions under which they work.

(20 marks)

QUESTION 3

SOCSO, which is also referred to as PERKESO (Pertubuhan Keselamatan Sosial), was founded with the purpose of offering social security coverage to the entire workforce in Malaysia. It is mandatory for every company to make contributions to SOCSO on behalf of their employees, regardless of their employment status (full-time, part-time, permanent, temporary, contract). The contribution amount must be submitted to the Perkeso Office by the conclusion of the subsequent month.

Discuss **FIVE (5)** benefits provided by SOCSO towards all contributors.

(20 marks)

End of Paper.